



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
Group Art Unit 1631

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In re

Patent Application of

James W. Schumm et al., et al.

Application No. 09/784,423

Confirmation No.: 5149

Filed: February 15, 2001

Examiner: Martinell, James

“MATERIAL AND METHODS FOR  
IDENTIFYING AND ANALYZING  
INTERMEDIATE TANDEM REPEAT DNA  
MARKERS”

Assistant Commissioner for Patents  
P.O. Box 1450  
Washington, D.C. 20213

Sir:

Transmitted herewith are an Amendment, Formal Drawings, a Petition from Restriction Requirement, a Request for One-month Extension of Time, and a check for the extension of time and petition fees. No other fee is believed due.

Charge or credit Deposit Account No. 50-0842 with any shortage or overpayment of the fees associated with this communication. A duplicate copy of this sheet is enclosed.

I, Leslie Lindsay, hereby certify that this correspondence is being deposited with the US Postal Service as first class mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231, on the date of my signature.

Leslie Lindsay  
Signature

19 May 2003  
Date of Signature

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OFFICE OF PETITIONS

Respectfully submitted,

Jill A. Fahrlander  
Reg. No. 42,518

File No. 16026-9180

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CERTIFICATION OF MAILING (37 CFR §1.8(a))

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231.

On: May 19, 2003

By: Leslie Lindsay

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicant(s):** James W. Schumm et al.      **Docket No.:** 016026.9180

**Serial No.:** 09/784,423      **Group Art Unit:** 1631

**Filed:** February 15, 2001      **Examiner:** James Martinell

**Confirmation No:** 5149

**FOR:** MATERIALS AND METHODS FOR IDENTIFYING AND ANALYZING  
INTERMEDIATE TANDEM REPEAT DNA MARKERS

**PETITION FROM REQUIREMENT FOR RESTRICTION UNDER 37 C.F.R. 1.144  
AND UNDER 37 C.F.R. 1.181**

Assistant Commissioner for Patents  
P.O. Box 1450  
Washington, DC 20213

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Sir:

**OFFICE OF PETITIONS**

In response to an Office Communication mailed October 1, 2002 and to an Office Communication mailed January 17, 2003, and pursuant to 37 C.F.R. 1.144 and 37 C.F.R. 1.181, Applicants petition the Commissioner from the Examiner's species election requirement. This petition is accompanied by the requisite petition fee (\$130.00).

**REMARKS**

In the Office Communication mailed October 1, 2002, the Examiner identified two inventions: Group I (claims 22-30), drawn to methods of detecting DNA and kits; and Group II (claims 31-34), drawn to oligonucleotide probes, and required restriction to one invention under 35 U.S.C. §121. Applicants elected the Group I claims with traverse.

In addition to requiring restriction to one of the two groups of claims, the Examiner stated that "Applicant is required to select no more than ONE of the individual marker sequences or ONE PAIR of primers/probes flanking a marker." Applicants filed a response

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01 FC:1251

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06/04/2003 AHONDAF1 00000081 09784423 130.00 OP  
02 FC:1460